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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 87 10

UNITED STATES OF AMERICA,
Plaintiff,

V

Oswaldo ORTEGA-Vega (1)
Grecia TOPETE-Verdugo (2)
Defendants.

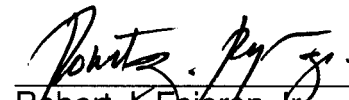
Magistrate Case No.:

COMPLAINT FOR VIOLATION OF
21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

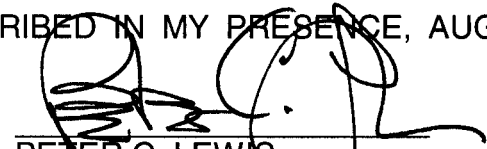
The undersigned complainant being duly sworn states:

That on or about August 9, 2008, within the Southern District of California, defendant Oswaldo ORTEGA-Vega and Grecia TOPETE-Verdugo, did knowingly and intentionally import approximately 29.86 kilograms (65.69 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Probable Cause Statement incorporated herein by reference.


Robert J. Fejeran Jr.
Special Agent
Immigration and Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, AUGUST 11, 2008.


PETER C. LEWIS
U. S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Oswaldo ORTEGA-Vega

4 Grecia TOPETE-Verdugo

5 **PROBABLE CAUSE STATEMENT**

6 This complaint is based on the personal observations, investigation, and information furnished to
7 U.S. Immigration and Customs Enforcement Special Agent Robert J. Fejeran, Jr.

8 On August 9, 2008, at approximately 0925 hours, at the Calexico CA West Port of Entry, Canine
9 Enforcement Officers (CEO's) David Alba and Ray Navarro were conducting pre-primary roving
10 inspections utilizing their assigned Human and Narcotic Detector dogs. CEO Alba observed his HNDD
11 "Cindy" alert to the left exterior panel of a Nissan Rogue bearing Baja California, Mexico license plate
12 BA/MX AHX2860 as the vehicle was in line for primary inspection to enter the U.S. CEO Alba informed
13 CEO Navarro of the alert and CEO Navarro approached the occupants of the vehicle identified as
14 Oswaldo ORTEGA-Vega (driver) and Grecia TOPETE-Verdugo (passenger), and obtained a negative oral
15 Customs from both occupants. CEO Alba informed CPO Alfredo Lopez who was manning primary lane
16 three to refer the vehicle to secondary inspection based on the positive alert. CBPO Lopez also received
17 a negative oral customs declaration again from both occupants and referred the vehicle to secondary for
18 further inspection.

19 In vehicle secondary, both ORTEGA and TOPETE again gave negative Customs declarations to
20 CBPO Bob Brown. CEO Alba screened the vehicle again with "Cindy" where she again alerted to the
21 rocker panel and floorboard of the vehicle. A search of the vehicle resulted in the discovery of a non
22 factory compartment in the rear floorboard underneath both front seats. The access panels under both
23 front seats were pried open resulting in the discovery of several packages wrapped in cellophane and heat
24 sealed plastic in the compartment. One of the packages was probed producing a white powdery
25 substance, which field-tested positive for the presence of cocaine. A total of twenty three (23) packages,
26 with a total approximate weight of 29.86 kilograms (65.69 pounds) of cocaine were removed from the
27 compartment.
28
29

Both ORTEGA and TOPETE were advised of their rights per Miranda, which both acknowledged and waived. Both ORTEGA and TOPETE admitted to marijuana possibly being hidden in the vehicle and that it was illegal to smuggle marijuana into the U.S. Both ORTEGA and TOPETE stated that they were both paid between \$300.00 to \$500.00 dollars to drive "loaded" vehicles into the U.S., and that they had received payment for doing so on five previous occasions, to include three other occasions in another vehicle.

Executed on August 9, 2008, at 1700 hours.


Robert J. Fajerman Jr., Special Agent
Immigration and Customs Enforcement

On the basis of the facts presented in the attached probable cause statement consisting of 2 page(s), I find probable cause to believe that the defendant(s) named in this probable cause statement committed the offense on August 9, 2008, in violation of Title 21, United States Code, Sections 952 and 960.


RUBEN B. BROOKS
UNITED STATES MAGISTRATE JUDGE

8/9/2008 at 7:10 p.m.
DATE/TIME